



29 JAN 2008

BOURQUE & ASSOCIATES
INTELLECTUAL PROPERTY ATTORNEYS, P.A.
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SUITE 301
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In re Application of: BURGESS, John, et al.
U.S. Application No.: 10/551,801
PCT No.: PCT/EP2004/003465
International Filing Date: 01 April 2004
Priority Date: 01 April 2003
Attorney's Docket No.: DUMMETT-039XX
For: COMMUNICATION SYSTEM

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DECISION

In a communication mailed by this Office on 13 September 2007, the declaration filed 07 February 2007 and executed on behalf of inventor John BURGESS by "J. Burgess (Legal Representative)" was rejected without prejudice. Specifically, the declaration was rejected because applicants had not made clear whether the declaration was being filed under 37 CFR 1.42 or 37 CFR 1.43, and the declaration did not appear to include all required information.

On 04 October 2007, applicants filed the "Response To Communication" considered herein. The Response states that inventor John BURGESS is deceased and that the declaration filed herein is therefore submitted under 37 CFR 1.42. In addition, the Response identifies the person who signed the declaration on behalf of the deceased inventor as the inventor's wife and legal representative Jill Burgess, and it confirms that the citizenship, address, and residence listed on the declaration applies for both the deceased inventor and the legal representative.

Based on the above and a review of the declaration document, the declaration filed 07 February 2007 is accepted as including all the information required for acceptance under 37 CFR 1.42 and 1.497(b)(2). The request for status under 37 CFR 1.42 with respect to deceased inventor John BURGESS is therefore **GRANTED**.

The application will be referred to the National Stage Processing Branch of the Office of PCT Operations for further processing in accordance with this decision. The date under 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) is 07 February 2007.

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